

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ROSA A. PONCE,

Plaintiff,

v.

CLARKSVILLE-MONTGOMERY COUNTY  
COMMUNITY ACTION AGENCY,

Defendant.

Case No. 3:13-cv-01183

**DEFENDANT'S MOTION TO DISMISS**

Defendant, Clarksville-Montgomery County Community Action Agency ("CMCCAA" or "Defendant"), hereby moves this Court to dismiss the Plaintiff's Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. In support of this Motion, Defendant relies upon its Memorandum in Support filed contemporaneously herewith.

Submitted this 20<sup>th</sup> day of February 2014.

Respectfully submitted,

/s/ Wendy V. Miller

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*on 2/20/14*  
*In light of the*  
*amended Complaint that*  
*supersedes the original*  
*Complaint, the*  
*motion is*

*DENIED*

*as that*

*prejudice*

*as*

*most.*

*Will JFF*  
*WDM*  
*3-1-14*